

90th Legislative Session – 2015

Committee: Joint Legislative Procedure

Wednesday, March 11, 2015

P - Present
E - Excused
A - Absent

Roll Call

P Frerichs
P Heineman (Phyllis)
P Holien
P Soholt
P Sutton
P Rave
P Brown, Vice-Chair
P Gosch
P Hawley
P Hunt
P Schoenbeck
P Westra
P Mickelson
P Wink, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Dean Wink, Chair.

MOTION: TO APPROVE THE JOINT LEGISLATIVE PROCEDURE AGENDA

Moved by: Rave
Second by: Westra
Action: Prevailed by voice vote.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, JANUARY 22, 2015

Moved by: Soholt
Second by: Rave
Action: Prevailed by voice vote.

Mr. Jason Hancock, Director, Legislative Research Council, presented and explained three alternatives for amending Joint Rule 7-20 (Document #1). After discussion, the committee selected Alternative B.

MOTION: TO AMEND CHAPTER 7 OF THE JOINT RULES AS FOLLOWS:

7-20. Scope of motion to defer to day certain beyond sine die. The rules pertaining to motions to table and to defer to a day certain beyond sine die shall be the same except that a motion to defer to a day certain beyond sine die is debatable. ~~A member of the Senate may make introductory remarks prior to making a motion to defer to a day certain beyond sine die.~~

Moved by: Brown

Second by: Rave

Action: Prevailed by roll call vote. (13-0-1-0)

Voting Yes: Frerichs, Heineman (Phyllis), Holien, Soholt, Sutton, Rave, Brown, Gosch, Hunt, Schoenbeck, Westra, Mickelson, Wink

Excused: Hawley

Mr. Hancock then presented and explained three options for amending Joint Rules, Chapter 17. Legislative Deadlines (Document #1). After discussion, the committee expressed a preference for Option A.

MOTION: TO AMEND CHAPTER 17 OF THE JOINT RULES AS FOLLOWS:

CHAPTER 17. LEGISLATIVE DEADLINES

Legislative Deadlines		
Legislative Action	40 Day Session	35 Day Session
<u>Final day for unlimited introduction of individual bills and joint resolutions²</u>	<u>12th Day</u>	
Final day for introduction of individual bills and joint resolutions ²	15 th Day	10th Day
Final day for introduction of committee bills and joint resolutions ^{*1&2}	16 th Day	11th Day
Last day upon which Joint Rule 5-17 can be invoked on a bill or resolution in either house	26 th Day	21st Day

Last day to move required delivery of bills or resolutions by a committee to the house of origin* ¹	27 th Day	22nd Day
Last day to pass bills or joint resolutions by the house of origin* ¹	28 th Day	23rd Day
Final day for introduction of concurrent resolutions and commemorations	28 th Day	23rd Day
During the seven final legislative days motions to reconsider and reconsideration being made upon the same day (any time before adjournment)	34 th Day on	29th Day on
Last day to move required delivery of bills or resolutions by a committee to the second house* ¹	35 th Day	30th Day
Last day for a bill or joint resolution to pass both houses* ¹	36 th Day	31st Day
Two days preceding the final two days of a legislative session shall be reserved for concurrences or action upon conference committee reports	37 th Day 38 th Day	32nd Day 33rd Day
The final day of a legislative session is reserved for the consideration of vetoes	40 th Day	35th Day
* ¹ This deadline does not apply to the general appropriations bill.		
² Bills and joint resolutions must be submitted to the Legislative Research Council at least 48 hours prior to this deadline, pursuant to Joint Rule 6A-5.		

17-1. Calendar less than 40 days. If a Session Calendar is adopted for a period of ~~thirty-six (36)~~ thirty-five (35) days to thirty-nine (39) days, inclusive, the legislative deadlines set forth in Chapter 17 of the Joint Rules ~~for a thirty-five (35) day session shall be increased by the same number of days by which the length of the adopted calendar exceeds thirty-five (35) days.~~ decreased as follows:

(1) Decrease the deadlines occurring after the 16th day but prior to the 34th day by one (1) day for every two (2) days by which the length of the adopted calendar is less than forty (40) days;

(2) Decrease the deadlines occurring on and after the 34th day by the same number of days by which the length of the adopted calendar is less than forty (40) days.

Moved by: Schoenbeck

Second by: Gosch

Action: Prevailed by roll call vote. (13-0-1-0)

Voting Yes: Frerichs, Heineman (Phyllis), Holien, Soholt, Sutton, Rave, Brown, Gosch, Hunt, Schoenbeck, Westra, Mickelson, Wink

Excused: Hawley

Joint Rule 5-17 was added to the agenda with no objection.

Mr. Hancock said that with the adoption of Option A, thereby amending Joint Rule 7-20, the committee should consider amending Joint Rule 5-17, to which the committee agreed.

MOTION: AMEND CHAPTER 5 OF THE JOINT RULES AS FOLLOWS:

5-17. Motion to delay action on amendments. Final action upon any amendment to a bill or resolution may not be heard until one legislative day has intervened, if a request for delay is made and is supported by at least one-fifth of the members. However, no such request is in order during the last fourteen days of the session, less one day for every two days that the session is less than forty days. This rule cannot be invoked more than two times on the same bill in each house.

Moved by: Schoenbeck

Second by: Gosch

Action: Prevailed by roll call vote. (13-0-1-0)

Voting Yes: Frerichs, Heineman (Phyllis), Holien, Soholt, Sutton, Rave, Brown, Gosch, Hunt, Schoenbeck, Westra, Mickelson, Wink

Excused: Hawley

Mr. Hancock provided the committee with a draft of the 2016 Legislative Session Calendar (Document #2). He explained that in 2016 there will be nine work weeks - with eight four-day work weeks, and the final 9th week being five days. The thirty-eighth and final legislative day will be on Tuesday, April 29, following Easter. Of the eight four-day work weeks, four will have Friday off and four will have Monday off.

MOTION: ADOPT THE 2016 LEGISLATIVE SESSION CALENDAR AS PRESENTED

Moved by: Rave

Second by: Westra

Action: Prevailed by roll call vote. (14-0-0-0)

Voting Yes: Frerichs, Heineman (Phyllis), Holien, Soholt, Sutton, Rave, Brown, Gosch,
Hawley, Hunt, Schoenbeck, Westra, Mickelson, Wink

Permission was granted for committee discussion of **Joint Rule 2-4 Access to chamber and lobbies** and **Joint Rule 2-1 Those permitted on floor during session**.

Representative Schoenbeck believes that if the chamber doors would be closed to the public, at perhaps 9:30 a.m., legislators could better concentrate on their work; an example being reading the bills. Lieutenant Governor Michels suggested that under Joint Rule 2-1, the issue of reporters having access to the floor during session could be addressed. Senator Brown advised that these are issues that can be addressed during the 2015 Legislative Interim. Mr. Hancock said he will do some research and place the items on the next scheduled Joint Procedure agenda.

MOTION: ADJOURN

Moved by: Gosch
Second by: Soholt
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Dean Wink, Chair